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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,926	10/21/2003	John L. Marshall III	2039653-0001	1613
7590	01/17/2006			
Mark J. Young McGuire Woods LLP 9951 Atlantic Blvd. Suite 227 Jacksonville, FL 32225			EXAMINER RIES, LAURIE ANNE	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 01/17/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/691,926	Applicant(s) MARSHALL ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-9, 11-16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ziff (U.S. Patent 6,697,821 B2).

As per claims 1 and 11, Ziff discloses a computer implemented system and method for creating, editing and processing submissions of electronic content, including functionality which may be implemented as separate modules (See Ziff, Column 3, line 67, and Column 4, lines 1-3), including enabling a user to enter a release form containing a digest of original story information (See Ziff, Column 11, lines 18-38), enabling a writer, or consultant, to access, create and edit the story digest to form a story screening document (See Ziff, Column 11, lines 39-44), notifying a reviewer, or editor, of the digest created by the writer, or consultant (See Ziff, Column 11, lines 45-50), and enabling a reviewer, or editor, to review the digest created by the writer, or consultant (See Ziff, Column 11, lines 50-55). While Ziff discloses that the user, or submitter, enters the original story information on a release form, Ziff does not disclose expressly that the user or submitter assigns the original story information entered to a writer or consultant for creating a digest. However, this functionality is available in the

method and system disclosed by Ziff as it is used by an editor to assign a particular story digest to a particular writer (See Ziff, Column 29, lines 3-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the disclosed assignment functionality to the user of the system. The motivation for doing so would have been to allow a user to direct his or her original story information to a writer with whom he or she is familiar or has worked with in the past.

As per claims 2 and 12, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses controlling access to the system by the user, writer or consultant, and reviewer or editor, using a login function (See Ziff, Column 20, lines 52-62, Column 21, lines 5-8, Figure 28A, and Column 29, lines 34-36).

As per claims 3 and 13, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses monitoring the status of a story digest (See Ziff, Column 9, lines 24-28, Figures 4A and 4B, and Column 12, lines 8-31).

As per claims 4 and 14, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses enabling uploading of the document to the system (See Ziff, Column 21, lines 11-16).

As per claims 5 and 15, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses enabling distribution or publication of the digest upon completion (See Ziff, Figure 13 B, element 216, and Column 22, lines 2-5).

As per claims 6 and 16, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses associating tracking data with the story digest (See

Ziff, Column 18, lines 65-67, Column 19, lines 1-9, Figures 4A and 4B, and Column 12, lines 8-14).

As per claims 8 and 18, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses enabling the writer or consultant to submit the digest for review by the reviewer or editor (See Ziff, Column 11, lines 39-50).

As per claims 9 and 19, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff also discloses enabling a reviewer or editor to approve, edit and reassign the digest created by the consultant or writer (See Ziff, Figures 27A and 27B, Column 28, lines 65-67, and Column 29, lines 1-19).

Claims 7, 10, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ziff (U.S. Patent 6,697,821 B2) as applied to claims 1 and 11 above, and further in view of Cooper (U.S. Publication 2002/0029350 A1).

As per claims 7 and 17, Ziff discloses the limitations of claims 1 and 11 as described above. Ziff does not disclose expressly providing a list of available writers or consultants from which the writer or consultant may be selected. Cooper discloses a Consultant database that lists the consultants available from the system, including details about each consultant (See Cooper, Page 4, paragraph 0043). Ziff and Cooper are analogous art because they are from the same field of endeavor of managing shared electronic information over a computer network. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the list of available

consultants of Cooper with the consultant selection functionality of Ziff. The motivation for doing so would have been to allow a user or submitter to select a consultant or writer with whom he or she is familiar, or, using the detailed information provided about each consultant or writer, to allow a user or submitter to select a consultant or writer who has previous experience with the subject matter encompassed by the submitted original story information. Therefore, it would have been obvious to combine Cooper with Ziff for the benefit of allowing a user or submitter to select a consultant or writer with whom he or she is familiar, or, using the detailed information provided about each consultant or writer, allowing a user or submitter to select a consultant or writer who has previous experience with the subject matter encompassed by the submitted original story information, to obtain the invention as specified in claims 7 and 17.

Claims 10 and 20 are rejected on the same basis as claims 2-9 and 12-19.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- Fields (U.S. Publication 2004/0205572 A1) discloses systems and methods for providing information in a computer network.
- Dabney (U.S. Patent 6,643,663 B1) discloses a method and system for operating a content management system.

- Duchon (U.S. Publication 2004/0215490 A1) discloses an integrated medial information management and medical device control system and method.
- Malik (U.S. Publication 2005/0114353 A1) discloses a method for tracking functional states of a web site and reporting results to web developers.
- Martin (U.S. Publication 2004/0216044 A1) discloses systems and methods for a programming environment for a simulation of a computer application.
- Coffman (U.S. Publication 2004/0215467 A1) discloses a method for electronic document handling, such as for requests for quotations under an electronic auction.
- Moisa (U.S. Publication 2004/0030992 A1) discloses a system and method for management of a virtual enterprise.
- Zhang discloses role-based access control in online authoring and publishing systems.
- Robinson discloses requirements interaction management.
- Sarin discloses a process model and system for supporting collaborative work.
- Weber discloses live documents with contextual, data-driven information components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR


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